

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSE GABRIEL OLIVALEMUS,

Plaintiff,

v.

CONTRA COSTA COUNTY SHERIFF, et  
al.,

Defendants.

Case No. [23-cv-04963-HSG](#)

**ORDER *SUA SPONTE* GRANTING  
EXTENSION OF TIME TO FILE *IN*  
*FORMA PAUPERIS* APPLICATION**

On or about September 27, 2023, Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. Dkt. No. 1. That same day, the Clerk of the Court informed Plaintiff that this action was deficient because Plaintiff had not paid the filing fee or filed an application to proceed *in forma pauperis*. Dkt. No. 3. Plaintiff was instructed to respond within twenty-eight days of the date of this order. *Id.* An application to proceed *in forma pauperis* must be accompanied by a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at his correctional facility and a copy of the prisoner's trust account statement showing transactions for the last six months. Dkt. No. 3 at 2.

On October 16 and 18, 2023, Plaintiff filed applications to proceed *in forma pauperis*, Dkt. Nos. 5, 8, but both applications lack the required copy of (1) Plaintiff's trust account statement showing transactions for the last six months and (2) the Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at his correctional facility.<sup>1</sup> The Court *sua sponte*


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<sup>1</sup> On the *in forma pauperis* application forms, Plaintiff states that the guards refused to sign the certification at the bottom of his application form. Dkt. Nos. 5, 8. The certification certifies that a true and correct copy of the prisoner's trust account statement is attached to the application form, which is not the case here. Regardless, to complete the application, Plaintiff must provide the Court with both a Certificate of Funds in Prisoner's Account completed and signed by an authorized officer at his correctional facility and a copy of his prisoner trust account statement

GRANTS Plaintiff an extension of time to November 17, 2023, to file the documents required to complete his *in forma pauperis* application. The Clerk is directed to send Plaintiff two copies of the Court's *in forma pauperis* application. Failure to file a complete *in forma pauperis* application within the time provided will result in dismissal of this action without further notice to Plaintiff for failure to comply with a court order.

**IT IS SO ORDERED.**

Dated: October 27, 2023

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge

United States District Court  
Northern District of California

showing transactions for the last six months. The prison guards' signature on the certification portion of the application form is insufficient to complete the *in forma pauperis* application.